

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

X-RITE, INC.,

Case No. 1:08-CV-264

Plaintiff,

v.

Hon. Richard Alan Enslen

LISA VOLK and COLOR
CONCEPTS, INC.,

ORDER

Defendants.

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Defendants Lisa Volk and Color Concepts, Inc., through counsel, have moved for the *pro hac vice* admission of attorney Todd Strother of Des Moines, Iowa. Attorney Strother is an attorney in good standing with the Iowa bar as well as other courts, but is not a bar member of the Western District of Michigan. Attorney Strother has initiated a parallel action in the Southern District of Iowa and there is presently pending in this Court a Motion to Change Venue based on the “first-to-file” rule.

Western District of Michigan Local Civil Rule 83.1(c)(iii) states:

This Court disfavors *pro hac vice* admission and prefers that all layers appearing before it become full members of the bar of the Court. *Pro hac vice* admission may nevertheless be allowed on a temporary basis pending full admission, or in unusual circumstances.

While this Court has yet to determine the merits of the venue motion, the argument for Strother’s limited appearance premised on the usual circumstances of the venue motion is appropriate. Strother’s limited participation pending the determination of the venue will permit this Court better advise from counsel while also preventing Strother and his clients from incurring

avoidable expenses should this matter have been improperly venued. However, this authority will be granted only until the determination of the venue motion so that, if this action should continue in this District, Strother will be required to join the bar as a condition of his later appearance.

THEREFORE, IT IS HEREBY ORDERED that Defendants' Motion for *Pro Hac Vice* Admission of Attorney Todd Strother (Dkt. No. 4) is **GRANTED** to the extent that attorney Todd Strother may appear in this matter *pro hac vice* pending the determination of the Motion to Change Venue.

DATED in Kalamazoo, MI:
April 16, 2008

/s/ Richard Alan Enslen
RICHARD ALAN ENSLEN
SENIOR UNITED STATES DISTRICT JUDGE